

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC § CIVIL ACTION NO. 6:12-CV-499 LED

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Plaintiff

VS.

LEAD CASE

TEXAS INSTRUMENTS, INC.,

Defendant.

BLUE SPIKE, LLC

CIVIL ACTION NO. 6:12-CV-680 LED

Plaintiff

VS.

**L-1 IDENTITY SOLUTIONS, INC. and
MORPHOTRUST USA, INC.,**

Defendants.

**DECLARATION OF DANIEL JOHNSON, JR. IN SUPPORT OF DEFENDANTS'
MOTION TO TRANSFER**

I, Daniel Johnson, Jr., do hereby declare and state as follows:

1. I am an attorney licensed to practice law in the State of California. I am a partner with the law firm of Morgan, Lewis & Bockius LLP, and am counsel for Defendants L-1 Identity Solutions, Inc. (“L-1”) and MorphoTrust USA, Inc. (“MorphoTrust”) (collectively, “Defendants”), in the above-captioned matter. I have personal knowledge of the foregoing, and,

if called upon to testify in this matter, I could and would testify competently to the matters stated herein.

2. I contacted Plaintiff's counsel, Mr. Christopher Honea, by telephone on December 7, 2012, at his office in San Rafael, California, located in the San Francisco Bay Area. I obtained the contact number from page 20 of the Complaint. I requested Plaintiff's consent to transfer the action to the District of New Jersey. Plaintiff's counsel, Mr. Honea, did not consent to the transfer. In addition, I requested dismissal of Defendant L-1 Identity Solutions, Inc. and followed up with correspondence today.

3. Attached as Exhibit 1 is a true and correct copy of Plaintiff Blue Spike, Inc.'s Articles of Organization filed on May 14, 2012.

4. Attached as Exhibit 2 is a true and correct copy of a printout from the Texas Secretary of State's website with information current as of December 11, 2012.

5. Attached as Exhibit 3 is a true and correct copy of Plaintiff Blue Spike, Inc.'s Contact page listing their office locations.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 11th day of December, 2012, in San Francisco, California.

/s/ Daniel Johnson, Jr.
Daniel Johnson, Jr.